

**RESOLUTION NO. 2009-19**  
**Petition for Review by Eastern Growth Management Hearing Board**

**A RESOLUTION,** authorizing a petition to the Eastern Washington Growth Management to overturn approval of 2008-007 amendment to the Chelan County Comprehensive Plan.

**WHEREAS,** the City staff presented testimony before the Chelan County Planning Commission and Board of County Commissioners expressing opposition to the approval of Comprehensive Plan Amendments 2008-007.

**WHEREAS,** this amendment, if approved, would allow the construction of 58 homes on a site totaling 97 acres in size; and

**WHEREAS,** Comprehensive Plan Amendment 2008-007 is located near Comprehensive Plan Amendments 2007-012 and 2007-011 which were previously opposed by the City,

**WHEREAS,** proposed homes would be served by on-site septic systems; and

**WHEREAS,** on-site septic systems, which will eventually fail, are not a modern sustainable means of ensuring public health, and

**WHEREAS,** Comprehensive Plan Amendment 2008-007 would allow the development of cluster housing in close proximity to two (2007-011 and 2007-012) other cluster developments approved in 2007 which would make it infeasible for the City of Wenatchee to provide public sewer and other urban services for any future developments located beyond these clusters; and

**WHEREAS,** these cluster developments by virtue of their proximity to each other constitute urban development and Chelan County has no known capacity to provide urban levels of service for police, fire, recreation, public transportation, school transportation and snow removal concurrent with new development; and

**WHEREAS,** encouraging the development of clusters outside of the UGA constitutes urban sprawl and diminishes the amount of land left for agriculture and open space.

**WHEREAS,** the approval of these Comprehensive Plan Amendments by the Chelan County Commission violates state planning goals (RCW 36.70A.020), to wit:

- 1) Encouraging development in urban areas where adequate public facilities and services exist.
- 2) Reduction of low density sprawl.
- 3) Encourage efficient multimodal transportation systems.
- 8) Encourage the conservation of productive forest and agricultural lands.
- 10) Protect the environment including water quality.


- 12) Ensuring the adequacy of public facilities and services necessary to support development.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WENATCHEE, as follows:**

The City staff is directed to file a petition for review and any other necessary documents with the Growth Management Hearing Board for Eastern Washington to declare invalid Chelan County 2007 Comprehensive Plan Amendment 2008-007.

**PASSED BY THE CITY COUNCIL OF THE CITY OF WENATCHEE** at a regular meeting therein, this \_\_\_\_\_ day of February, 2009.

City of Wenatchee, a Municipal Corporation

By:   
DENNIS JOHNSON, Mayor

ATTEST:

By:   
VICKI REISTER, City Clerk

**STATE OF WASHINGTON  
GROWTH MANAGEMENT HEARING BOARD  
FOR EASTERN WASHINGTON**

City of Wenatchee, a  
Washington Municipal  
Corporation

Petitioner

Case No. \_\_\_\_\_

vs.

PETITION FOR REVIEW

Chelan County, a  
political subdivision  
of the State of Washington  
Respondent

**1. PETITIONER**

1.1 Petitioner City of Wenatchee is an incorporated municipality situated in Chelan County, Washington with administrative offices located at

City Hall  
City of Wenatchee  
129 S. Chelan Avenue  
Wenatchee, WA 98801

1.2 For purposes of this action all correspondence shall be served on

Johnson, Gaukroger, Drewelow & Woolett, P.S.  
139 S. Worthen Street  
Wenatchee, WA 98801

Attn: Steve D. Smith, Atty

Tel. (509) 663-0031  
Fax (509) 663-6003  
[steves@jdwlaw.com](mailto:steves@jdwlaw.com)

## **2. THE CHALLENGED ACTION**

2.1 The City of Wenatchee is challenging Comprehensive Plan Amendment 2008-007 approved by the Chelan County Commission in December, 2008.

This action was approved by the Chelan County Board of Commissioners on December 15, 2008.

## **3. DETAILED STATEMENT OF THE ISSUES**

3.1 Does Chelan County's approval of 2008-007 Comp Plan Amendment violate RCW 36.70A.115 by severely limiting the City of Wenatchee's ability to expand urban services to accommodate future housing and employment growth?

3.2 Does Chelan County's approval of 2008-007 Comp Plan Amendment violate Planning Goals as stated in RCW 36.70A.020 (1), (2), (3), (8), (10) and (12)?

3.3 Does Chelan County's approval of 2008-007 Comp Plan Amendment which would allow the location of unlimited numbers of cluster subdivisions directly adjacent to each other constitute "urban growth" per RCW 36.70A.030 (18) which would require the provision of "urban governmental services"?

3.4 Does Chelan County's approval of 2008-007 Comp Plan amendment allowing clusters of homes and dedicated open space in close proximity to each other effectively blocking the future expansion of the Wenatchee Urban Growth Area violate RCW 36.70A.110 (3) (4) requiring that urban growth be located first in areas already characterized by urban growth and not expanding urban governmental services into rural areas?

## **4. STANDING**

4.1 The Petitioner has standing pursuant to RCW 36.70A.280 (2) (a) (b) as a City planning under the Growth Management Act and which presented testimony orally and in writing before the Chelan County Planning Commission and Board of County Commissioners in regards to the matter in which review is being requested.

## **5. ESTIMATED TIME REQUIRED FOR HEARING ON THE MERITS**

5.1 Petitioner estimates that a hearing will take ½ (one half) day.

## **6. RELIEF SOUGHT**

6.1 Petitioner requests that the Board rule that amendment 2008-007 to the Chelan County Comprehensive Plan be found non-compliant with the GMA and that Chelan County be ordered to enter into a process pursuant to RCW 36.70A.210 with the

City of Wenatchee to develop revised County-wide planning policies which will allow for the continued expansion of the UGA and urban services.

Petitioner has read the Petition for Review and believes the contents to be true.

Dated this 12th day of February, 2009.

---

DENNIS JOHNSON, Mayor  
CITY OF WENATCHEE

Attachment: Map of selected County Comprehensive Plan Amendments for 2007 and 2008

# Chelan County Comprehensive Plan Amendments

